

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiffs,

vs.

SETH MOCK, MUBANGA CHONGO-
OFAFA, and AILEEN KOGERA
NJOROGI,

Defendants.

4:18CR3066

ORDER

Based on the representations of Njoroge's counsel, trial preparation for this case will require reviewing a large number of documents, conferring with numerous witnesses, and understanding a complex set of transactions. (Filing No. 29). The court finds it is unreasonable to expect the government's counsel, defense counsel and Defendants to be adequately prepared for trial within the time limits of the Speedy Trial Act, and this case should be excluded from those time limitations so it can be fairly and justly resolved. Accordingly,

IT IS ORDERED:

- 1) Defendant Njoroge's motion, (Filing No. 29), is granted.
- 2) **As to all defendants**, the trial previously set to commence on August 27, 2018, is continued, and the pretrial motion deadline is continued, pending further order of the court.
- 3) The Rule 16 disclosure deadline is continued. On or before July 30, 2018, counsel shall confer and accomplish discovery in accordance with NECrimR 16.1 and Fed.R.Crim.P. 16. The United States Attorney shall disclose discovery as it becomes available and Brady v. Maryland (and its progeny) material as soon as practicable.

4) A trial date will not be set at this time. Instead, a status conference will be held before the undersigned magistrate judge at 11:00 a.m. on September 25, 2018 in Courtroom 2, United States Courthouse and Federal Building, 100 Centennial Mall North, Lincoln, Nebraska to discuss case progression and a potential trial setting. All Defendants, their counsel, and counsel for the government shall be present at the conference.

5) For the reasons stated above, the Court finds that **as to all defendants**, the time between today's date and September 25, 2018 shall be deemed excludable time in any computation of time under the requirements of the Speedy Trial Act, because this case is "unusual and complex," and is exempted from the time restrictions of the Speedy Trial Act, 18 U.S.C. 3161(h)(7)(B)(ii) and (h)(6).

June 28, 2018.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge